IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2981 and 2568 of 1997

For Approval and Signature:

HON'BLE MR.JUSTICE H.K.RATHOD

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SHIRISHBHAI C. KHOKHONI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 2981 of 1997

MR RC PATHAK for Petitioner No. 1-2

GOVERNMENT PLEADER for Respondent No. 1-2,4

NOTICE SERVED BY DS for Respondent No. 2

..... for Respondent No. 3

CORAM : HON'BLE MR.JUSTICE H.K.RATHOD

Date of decision: 15/10/2004

ORAL JUDGEMENT

The prayers made by the petitioners in these petitions are relating to regularization of their services by the respondents. This Court cannot go into the disputed questions of fact and, therefore, it will be open for the petitioners to approach the machinery under the ID At, 1947 to raise the industrial dispute for regularization of their dispute. As and when such dispute is raised by the petitioners before the machinery under the ID Act, 1947, such authority under the ID Act, 1947 will consider the period consumed in the present litigation while considering the matter. With these observations and directions, these petitions are d disposed of without observing anything on merits. Rule is discharged. Interim Relief if any, shall stand vacated. There shall be no order as to costs.

(H.K. Rathod,J.)

Vyas